



STATE OF NEW HAMPSHIRE

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Meat and Poultry Regulations in New Hampshire

There is a growing demand for local produced foods, which creates new opportunities for producers who raise natural, pastured or grass-fed, organic, or local meat and poultry. Unfortunately, accessing meat and poultry processing facilities can be a significant challenge. The following describes rules and regulations surrounding processing and selling Meat and Poultry in New Hampshire.

Beef, Pork, Goat and Other Meat

Meat Processing Overview

Meat processing in the United States is regulated by the Federal Meat Inspection Act. This Act covers processing cattle, sheep, swine, and goats and in some situations also includes exotic animals, game animals and ostrich, emu, and rhea raised for meat. In order to meet the federal requirements, animals must be processed at plants inspected by the USDA Food Safety and Inspection Service (FSIS). The other option is to have your animals processed by utilizing a Custom Meat Slaughter and Processing Facility, also known as “custom exempt.”

	Custom Exempt	USDA FSIS Inspected Facility
What can be sold?	quarter, half, or whole animal	whole, primal, or processed into cuts
Marketing options:	direct to end consumer only	direct and retail
Sales allowed outside of New Hampshire?	NO	YES

Custom Exempt Meat Processors are operations that slaughter or process uninspected meat animals for the sole consumption of the owner. In order to meet this requirement, producers sell live animals by weight (live weight) directly to the end consumer. Animals are generally sold in whole, halves, or quarters. The producer contracts with a custom slaughterer for on farm kill of the animal already sold. Custom slaughtered meat is “uninspected” because it is not processed in a USDA inspected facility and cannot be resold. All packaged meat must be labeled ‘not for sale’. Only the owner of the animal and their immediate family or non-paying guests can consume it. It **cannot** be sold at farmers markets, to restaurants, or to grocery stores. It also **cannot** be donated to food banks.

USDA inspection is required to sell meat from livestock and animal products (as opposed to live animals) through retail outlets, by the cut, or across state lines. Producers must have the animals slaughtered and processed in USDA inspected facilities. The major benefit of meat processed at USDA inspected facilities is that it may be sold at farmers markets, to restaurants and to other retail outlets.

Exotic and Game Animals

Exotic animal meat (e.g. game animals) can be sold within New Hampshire when slaughtered and processed at a USDA inspected plant or an USDA equivalent state inspection program. Hunters’ game animals can be custom processed. They cannot be sold.

Selling Meat from the Farm or Farmers Market

In order to sell USDA inspected meats from the farm or farmers market, a food license is required. This facility can be a separate freezer or refrigerator (not your household freezer) and must be located away from a domestic kitchen, such as in a barn or garage. This license enables farmers to store USDA meats for later sale. Information about licenses is available at <https://www.dhhs.nh.gov/dphs/fp/index.htm>

Requirements for Uninspected Bison being sold and offered at Restaurants

Definition of Uninspected Bison. –means carcasses, parts, meat, and meat food products of bison slaughtered and processed in accordance with RSA 427:16, XII and sold or to be sold as provided in RSA 427:2-a, IV.

Required Labeling– All packaging containing uninspected bison shall be clearly labeled to include a description of the product, the name, address, and telephone number of the farm where the product originates, and the date of slaughter.

Requirements for Restaurants Purchasing Uninspected Bison meat–

- A licensed restaurant, as defined in RSA 143-A:14, II, may purchase from bison producers uninspected bison
- For at least 90 days from the date of each purchase, the licensed restaurant shall keep on file the receipt of purchase to include the product purchased, the date of purchase, the name of the producer, the name and address of the farm, and phone number.
- The licensed restaurant shall clearly label any menu item containing uninspected bison with the following statement: "This product was slaughtered at the farm and is exempt from state and federal inspection."

Poultry

New Hampshire accepts the USDA federal standards and regulations for processors raising their own poultry and slaughtering/processing them on their own farm for their own consumption. Anyone wishing to sell their poultry at a Department of Health and Human Services (DHHS) licensed retail food store must be USDA inspected. Operations that qualify for a federal exemption may sell directly to the consumer from the farm or from a farmer's market, but DHHS does not provide a food license or inspect this activity.

The NH Department of Health and Human Service Food Protection Section does not accept poultry from those operations under the federal exemptions as coming from an "approved source" at DHHS licensed retail food stores. In order for poultry to be offered at food service retail stores licensed by the Food Protection Section, it must be USDA inspected. Anyone wishing to sell their poultry at a DPHS FPS licensed retail food store or food service establishment must have the poultry inspected by the USDA.

Selling Uninspected Poultry Farmers Markets or Farm Stand

Producer/growers that qualify for a federal exemption under the Poultry Product Inspection Act (PPIA) may sell directly to the consumer from their farm, at the producer/grower's farm stand or by the producer/grower at a farmer's market. In these situations, the DPHS FPS considers these places of sale to be a direct extension of the farm and does not require a food service license.

(Please note: There are 15 self-inspecting communities in NH. If you wish to sell your poultry in any of these jurisdictions, you must contact them directly to determine if licensure is required.

<https://www.dhhs.nh.gov/dphs/fp/documents/selfinspect.pdf>)

The USDA Guidance for Determining Whether a Poultry Slaughter or Processing Operation is Exempt from Inspection Requirements of the Poultry Products Inspection Act includes a Decision Flow Chart for Poultry Exemptions Under the PPIA and the criteria that must be met to qualify for the exemption. This guidance is available at

https://www.fsis.usda.gov/wps/wcm/connect/0c410cbe-9f0c-4981-86a3-a0e3e3229959/Poultry_Slaughter_Exemption_0406.pdf?MOD=AJPERES

Selling Uninspected Poultry and Rabbits to Restaurants

Poultry and rabbit producers now are permitted to sell uninspected poultry and rabbits to restaurants as the result of recent legislation, RSA 143-A:14-15. This legislation allows each farm producer to sell up to 1,000 uninspected rabbits and/or 20,000 uninspected poultry annually to restaurants. Other animal meat must be slaughtered and processed at a USDA-inspected plant or a USDA-equivalent state inspection program (game meat only) in order to be offered at retail food establishments.

For Poultry, under the USDA Producer/Grower 1,000-bird limit exemption or 20,000 Produce/Grower exemption, a producer may offer up to a total of 20,000 uninspected birds per year. In New Hampshire, inspection-exempt birds may be sold from the farm, at farmers markets or to restaurants.

The Poultry Product Inspection Act does not exempt any person slaughtering or processing poultry from the provisions requiring the manufacturing of poultry products that are not adulterated and not misbranded. According to USDA, a product is adulterated if it bears or contains a substance that makes it injurious to health, or if it has been held, packed or produced under insanitary conditions. Under New Hampshire's new law both producers and restaurants need to follow certain requirements to offer the uninspected poultry and rabbits, as follow.

For Poultry and Rabbit Producers:

Training

- Complete an education course offered by UNH Cooperative Extension or other approved course every 5 years.
- The training shall include required slaughtering, processing, packaging, handling and transportation practices.
- One individual involved in the producers operations shall obtain the required training.

Registration

- Register with the NH Department of Agriculture, Markets & Food at <http://agriculture.nh.gov/divisions/regulatory-services/rabbit-poultry-registration.htm>
- Proof of successful completion of the required training must be submitted to the NH Department of Agriculture, Markets & Food with the registration.

Recordkeeping and Labeling

- Maintain production records showing that no more than 20,000 whole poultry or 1,000 rabbits are offered to restaurants within a calendar year.
- Label each poultry and rabbit with the following information: *name and address of the producer; date of slaughter of the poultry or rabbit; and safe handling instructions*. A sample of the safe handling instructions can be found at <https://www.dhhs.nh.gov/dphs/fp/documents/poultryrabbitpurchase.pdf>
- Provide information to the Department of Health and Human Services during investigation of a foodborne illness outbreak linked to any poultry or rabbits supplied by the producer.